

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF GENESEE

NU-TECH PLASTICS ENGINEERING, INC.,

Plaintiff,

v

Case No. 02-5335-CK

GENERAL MOTORS CORPORATION,
a Delaware Corporation, and DELPHI
AUTOMOTIVE SYSTEMS USA, LLC, a
Delaware Limited Liability Corporation, d/b/a
DELPHI AUTOMOTIVE SYSTEMS, LLC,

ROBERT M. RANSOM
2-19226

Defendants.

SCHWARTZ LAW FIRM, P.C.
By: Jay A. Schwartz (P45268)
Deborah E. Fordree (P49054)
Attorney for Plaintiff
37887 W. 12 Mile Road, Suite A
Farmington Hills, Michigan 48331
(248) 553-9400

TRUE COPY
Michael J. Carr, Clerk

PLAINTIFF'S COMPLAINT

NOW COMES Plaintiff, NU-TECH PLASTICS ENGINEERING, INC. ("Nu-Tech"), by and through its attorney, SCHWARTZ LAW FIRM, and for its complaint against Defendants, GENERAL MOTORS CORPORATION ("GM"), and DELPHI AUTOMOTIVE SYSTEMS USA, LLC, d/b/a DELPHI AUTOMOTIVE SYSTEMS, LLC, ("Delphi"), states as follows:

1. Nu-Tech is a Michigan corporation with its principal place of business in Genesee County, Michigan.

2. GM is a Delaware corporation, transacting business in Genesee County, Michigan.

3. Delphi is a Delaware limited liability corporation, transacting business in Genesee County, Michigan.

4. At all material relevant hereto, Delphi acted on its own and as an agent for GM.

5. This court has jurisdiction over the controversy alleged herein and the amount in controversy exceeds \$25,000.00, exclusive of costs, interest and attorney fees.

COUNT I

BREACH OF CONTRACT

6. Nu-Tech hereby incorporates and restates paragraphs 1 through 5 as though each allegation was stated verbatim.

7. Nu-Tech, GM and Delphi entered into a contract or contracts whereby Nu-Tech was to manufacture and supply automotive component parts to GM, and GM was to purchase the parts, until December 31, 2000.

8. Defendants breached the contract and or contracts by, among other things, failing to purchase parts as agreed and by removing equipment necessary for the production of those parts.

9. As a direct and proximate result of Defendants' actions, Plaintiff sustained damages.

10. Defendants are liable to Plaintiff for the damages it incurred resulting from Defendants' breach of contract.

WHEREFORE, Plaintiff, NU-TECH PLASTICS ENGINEERING, INC. respectfully requests that this Honorable Court enter a judgment in its favor against the Defendants, in an amount in excess of Twenty-Five Thousand (\$25,000.00) Dollars and award such further relief as this Court deems just.

COUNT II

PROMISSORY ESTOPPEL

11. Nu-Tech hereby incorporates and restates paragraphs 1 through 10 as though each allegation was stated verbatim.

12. Defendants made material representations to NU-TECH, including but not limited to representations regarding the necessity of Plaintiff to increase its manufacturing capabilities to satisfy Defendants' production demands, the necessity of Plaintiff to maintain its manufacturing operations (even after GM removed tooling) to satisfy production of a new part for Defendants which Plaintiff had been selected to produce, the manufacture and production of replacement parts and the necessity requirements to agreements in place.

13. Defendants' material representations were knowingly false and/or made recklessly with the intention that it should be acted upon by Plaintiff.

14. Plaintiff relied upon the material representations made by Defendants.

15. Plaintiff sustained substantial damages as a direct and proximate result of its reliance upon Defendants' material representations.

WHEREFORE, Plaintiff, NU-TECH PLASTICS ENGINEERING, INC., respectfully requests that this Honorable Court enter a judgment in its favor and against the Defendants, in an

amount in excess of Twenty-Five Thousand (\$25,000.00) Dollars and award such further relief
as this Court deems just.

SCHWARTZ LAW FIRM, P.C.

By: 

Jay A. Schwartz (P45268)
Deborah E. Fordree (P49054)
Attorney for Plaintiff
37887 W. 12 Mile Road, Suite A
Farmington Hills, Michigan 48331
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Dated: December 30, 2002

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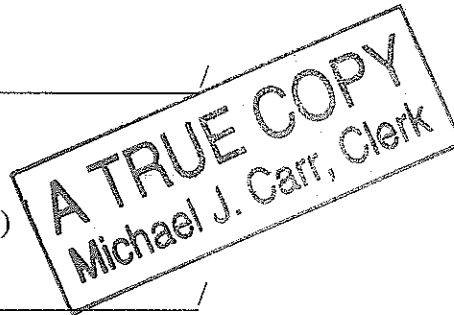
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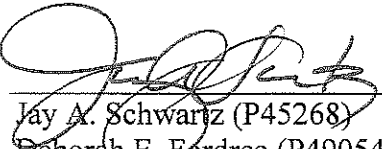
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Deborah E. Fordree (P49054)
Attorney for Plaintiff



PLAINTIFF'S JURY DEMAND

NOW COMES Plaintiff, NU-TECH PLASTICS ENGINEERING, INC., by and through
its attorney, SCHWARTZ LAW FIRM, and hereby requests a trial by jury of the within cause.

SCHWARTZ LAW FIRM, P.C.

By: 
Jay A. Schwartz (P45268)
Deborah E. Fordree (P49054)
Attorney for Plaintiff
37887 W. 12 Mile Road, Suite A
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